

SENATE No. 1001

The Commonwealth of Massachusetts

PRESENTED BY:

Richard R. Tisei

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the sale and possession of bb.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Richard R. Tisei	Middlesex and Essex
Gary Christenson	72 Ashland Street, Unit 406 Malden, MA 02148 Ward1info@yahoo.com
Kenneth Coye	Malden Police Chief 200 Pleasant Street Malden, MA 02148
Christopher G. Fallon	33rd Middlesex
Anthony D. Galluccio	Middlesex, Suffolk and Essex
Paul J. Donato	35th Middlesex

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S01424 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO THE SALE AND POSSESSION OF BB.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 12A of chapter 269 of the General Laws, as appearing in the 2004 Official
2 Edition, is hereby amended by striking the section in its entirety and inserting in place thereof the
3 following section:-

4 No person shall sell an air rifle or a BB, pellet or paintball gun without first verifying the
5 age of the buyer by requiring said buyer to produce a valid driver's license or other form of state
6 produced picture identification containing their name, address and date of birth at the time of
7 purchase. Under no circumstance shall an air rifle or BB, pellet or paintball gun be sold to a
8 minor under the age of 18. Whoever sells to a minor under the age of 18 or whoever, not being a
9 parent, guardian or adult teacher or instructor, furnishes to a minor under the age of 18 an air
10 rifle or BB, pellet or paintball gun shall be punished by a fine of five hundred dollars or by
11 imprisonment of not more than six months.

12 SECTION 2. Section 12B of said chapter 269, as so appearing, is hereby amended by striking the
13 first sentence in its entirety and inserting in place thereof the following sentence:-

14 No person under the age of 21 shall have an air rifle or BB, pellet or paintball gun in his
15 possession in any public place to which the public has a right of access unless he is the holder of
16 a sporting or hunting license and has on their person or possesses a Firearms Identification Card
17 issued by the chief of police of the town in which he resides granting him the right of such
18 possession. No person shall discharge a BB shot, pellet or other object from an air rifle or BB,
19 pellet or paintball gun into, from or across any street, alley, public way or railroad or railroad
20 right of way. Whoever violates this section shall be punished by a fine of not more than two
21 hundred and fifty dollars and the gun may be confiscated. Upon conviction of a violation of this
22 section the air rifle or BB, pellet or paintball gun shall, by the written authority of the court, be

23 forwarded to the colonel of the state police, who may dispose of said article in the same manner
24 as described in section ten.

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